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PART II—Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या वी वाली है जिससे कि यह बलग संज्ञान
के रूप में एका का सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 24th February, 1989:—

I

BILL NO. L OF 1988

A Bill to amend the Indian Veterinary Council Act, 1984.

Be it enacted by Parliament in the Fortieth Year of the Republic of India as follows:—

1. This Act may be called the Indian Veterinary Council (Amendment) Act, 1989. Short title.

2. In section 2 of the Indian Veterinary Council Act, 1984 (hereinafter referred to as the Principal Act),— Amendment of section 2.

(i) In item (e) after the words "Second Schedule" the words "or the Third Schedule" shall be inserted.

(ii) for item (g) the following item shall be substituted, namely:—

(g) "registered veterinary practitioner" means a veterinary practitioner who holds recognised qualification or is otherwise entitled to have his name registered under this Act and whose name is for the time being duly registered in a register.

Amend-
ment of
section 15.

3. In section 15 of the Principal Act,—

(i) in sub-section (1) after the words "First Schedule" the words "and the Third Schedule" shall be inserted.

(ii) to sub-section (1) the following proviso shall be added, namely:—

"Provided that the person possessing the qualifications specified in the Third Schedule shall be entitled only—

(a) to treat animals or birds;

(b) to purchase and store the scheduled drugs in quantities not exceeding the quantities which he may reasonably require for treating animals or birds and to prescribe such scheduled drugs for periods not exceeding one week;

(c) to perform such operations on animals or birds as do not involve internal organs;

(d) to vaccinate animals or birds against various diseases;

(e) to issue health certificates in respect of animals or birds, not involving a medico legal case."

(iii) in sub-section (2) after the words "the First Schedule", wherever they occur, the words "or the Third Schedule" shall be inserted.

Amend-
ment of
section 30.

4. In section 30 of the principal Act, clause (b) shall be omitted.

Amend-
ment of
First
Schedule.

5. In the First Schedule to the principal Act, under Diplomas after entry 4 the following entries shall be inserted, namely:—

Dip. V. &
A.H.Sc.

4A. State Directorate of Animal Husbandry and Principal, Veterinary College. Diploma in Veterinary Science and Animal Husbandry.

Dip. A.H.
& V.Sc.

4B. Government of Maharashtra Directorate of Animal Husbandry and Chairman, Board of Examiners, Maharashtra. Diploma in Animal Husbandry and Veterinary Science."

Insert-
tion of
new
Sche-
dule.

6. After the Second Schedule to the Principal Act, the following Schedule shall be inserted, namely:—

THE THIRD SCHEDULE

[See section 2 (e) and Section 15 (1)]

Recognised Veterinary qualifications granted by institutions in India not included in the First Schedule

University or Veterinary Institution	Recognised Veterinary Qualification	Abbreviation for registration
1	2	3
(i) State Directorate of Animal Husbandry and Veterinary Services	Professional, Theoretical and Practical Licensed Certificate Course to qualify to conduct Veterinary Practice.	L.V.P.

1	2	3
(2) Principal, Veterinary Colleges	Professional, Theoretical and Practical Licensed Certificate Course to qualify to conduct Veterinary Practice.	L.V.P.
(3) Agricultural University	Professional, Theoretical and Practical Licensed Certificate Course to qualify to conduct Veterinary Practice.	L.V.P.

STATEMENT OF OBJECTS AND REASONS

The Indian Livestock and poultry provide a major source of self-employment to the educated unemployed persons and are also source of subsistence to the weaker sections of the society including the landless labourers.

Due to the defective provisions of the Indian Veterinary Council Act, 1984 particularly the impracticable and professionally indecent condition of professional supervision and direction of Veterinary graduates imposed under section 30(b) of the Act, the work in this field is being disturbed. The poultry farmers and the small dairy owners are subjected to inconvenience causing decrease in the livestock and poultry production for want of immediate curative and preventive measures.

The professional supervision and direction can be practicable when the two functionaries are working together at one and the same place like Doctor and Nurse, Doctor and Pharmacist, Doctor and technicians. But in the present case the Graduate and Non-Graduate practitioners are functioning at two different and distant places, the distance being from 5 to 25 kilometres. Under these circumstances, the condition of this type is not only humiliating the non-graduate veterinary practitioners but also proving to be harmful to the growing livestock and poultry industry thereby damaging and demoralising the interests of various sections of the society.

Section 30(a) has categorically provided that no person other than a registered Veterinary practitioner shall hold office as Veterinary Physician or Surgeon or any like office (by whatever name called) in Government or in any institution maintained by a local or other authority.

This provision has disqualified the existing non-graduate veterinary practitioners (in the absence of necessary provision under the Act ensuring their registration) who are holding independent charge of veterinary dispensaries technically, professionally and administratively for over a period of 3 decades.

It is felt that the non-degree medical qualifications require to be included in the Act and under a new Schedule, the Third Schedule to the said Act.

In order to cover the provisions of the State Acts and to have Schedules of the recognised Veterinary qualifications on the lines of Indian Medical Council Act, the Indian Veterinary Council Act requires to be amend.

Hence, this Bill.

VISHWASRAO RAMRAO PATIL.

II

BILL NO. I OF 1989

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Fortieth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1989.
Short title.
2. In article 75 of the Constitution in clause (1) after the words "The Prime Minister shall be appointed by the President" the words "from amongst the elected members of the House of the People" shall be inserted.
Amend-
ment of
article
75.
3. In article 164 of the Constitution in clause (1) after the words "The Chief Minister shall be appointed by the Governor" the words "from amongst the elected members of the Legislative Assembly of the State" shall be inserted.
Amend-
ment of
article
164.

STATEMENT OF OBJECTS AND REASONS

It is not generally edifying to see Chief Ministers who are not elected members of the Legislative Assemblies of their respective States at the time of their appointment functioning as Leaders of the Assemblies. This practice really makes a mockery of the Parliamentary democracy as established by the Constitution in our country. Our country also had an occasion of seeing a Prime Minister in Office in 1966 who was not an elected member of the House of the People.

The Prime Minister and the Chief Ministers of the States must, as a principle be elected members of the Houses to which the Constitution makes their Council of Ministers collectively responsible, namely, the Lok Sabha and the State Legislative Assemblies, respectively for promoting and strengthening parliamentary democracy in our country. The relevant provisions of the Constitution need to be amended for this purpose.

Hence, this Bill.

CHITTA BASU

CHITTA BASU.
Secretary-General.